

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Rodney L. Davis

Petition No. 2000-0913-033-008

CONSENT ORDER

WHEREAS, Rodney L. Davis of Moodus, CT (hereinafter "respondent") has been issued license number 001865 to practice as a subsurface sewage disposal system installer by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 393a of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. On or about June 26, 2000, respondent submitted an application to repair a subsurface sewage disposal system at Camp Chomeish, formerly known as Shadybrook Camp, in Moodus, CT (hereinafter "the property"). Said application was not approved by the local health department, as the owner of the property was asked to demonstrate compliance with the requirements of Section 19-13-B100a of the Regulations of Connecticut State Agencies pertaining to a change in use of a structure;
2. In or about the summer of 2000, respondent arranged for a septic tank to be delivered by Dewey's Precast of Norwich, CT to the property;
3. In or about the summer of 2000, respondent arranged to have the required excavating equipment brought to the property so that his brother could install the septic tank referenced in paragraph 2 above and related piping to tie the tank into the existing leaching system;
4. On or about August 9, 2000, Wayne Greene, an employee of the Town of East Haddam Building and Sanitation Department, conducted an inspection of the property and

discovered that a septic tank and related piping had been installed on the property without the required permits and approvals; and

5. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-341f(d), taken in conjunction with the Regulations of Connecticut State Agencies, §§19-13-B103e, 19-13-B103e(e), 19-13-B103e(f)(2) and 19-13-B103e(g).

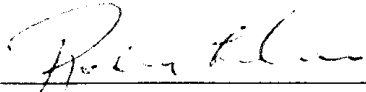
WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-341f(d) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-341f(d) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

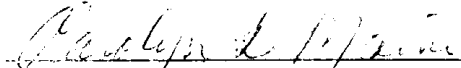
1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 001865 to practice as a subsurface sewage disposal system installer in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of five hundred dollars (\$500.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all statutes and regulations applicable to his licensure including, but not limited to:
 - (1) viewing individual plans on file at the office of the local Director of Health prior to commencing performance on any installation, modification, extraction or repair contract;

- (2) acquiring all requisite permits, submitting a plan, and obtaining approval to construct as required by regulation; and,
 - (3) notifying the local Director of Health or his/her agent twenty-four (24) hours prior to commencing performance on any installation, modification, extraction or repair contract.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. This Consent Order is effective on the date this Consent Order is accepted and ordered by the Department.
7. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Department in which his compliance with this Consent Order or with Chapter 393a of the General Statutes of Connecticut, as amended, is at issue.
8. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.
9. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
10. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
11. Respondent has the right to consult with an attorney prior to signing this document.

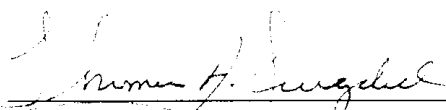
I, Rodney L. Davis, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Rodney L. Davis

Subscribed and sworn to before me this 9th day of February 2001.


Notary Public or person authorized Carolyn L. Main
by law to administer an oath or affirmation
My commission expires: 9/30/03

The above Consent Order having been presented to the duly appointed agent of the
Commissioner of the Department of Public Health on the 23rd day of
February 2001, it is hereby accepted.


Thomas H. Furgalack, Director
Division of Environmental Health